

By: Ellis

S.B. No. 1292

A BILL TO BE ENTITLED

AN ACT

1
2 relating to DNA testing of biological evidence in certain capital
3 cases.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Article 38.43, Code of Criminal Procedure, is
6 amended by adding Subsection (i) to read as follows:

7 (i) Before a defendant is tried for a capital offense in
8 which the state is seeking the death penalty, the Department of
9 Public Safety shall perform DNA testing on all biological evidence
10 that was collected as part of an investigation of the offense. The
11 state shall pay for all DNA testing performed in accordance with
12 this subsection.

13 SECTION 2. Article 38.43(i), Code of Criminal Procedure, as
14 added by this Act, applies only to a trial that commences on or
15 after the effective date of this Act, regardless of whether the
16 alleged offense was committed before, on, or after that date.

17 SECTION 3. This Act takes effect September 1, 2013.